

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**BNSF RAILWAY COMPANY,  
A Delaware Corporation,**

**Plaintiff,**

**v.**

**CITY OF EDMOND, OKLAHOMA,  
et al.,**

**Defendants.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No. CIV-19-769-G**

**JUDGMENT**

In accordance with the Court's Memorandum Opinion and Order issued this same date, and the holding that Plaintiff's motion for summary judgment should be granted and Defendants' motions for summary judgment should be denied, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that title 66, section 190 of the Oklahoma Statutes (2019) is preempted by the Interstate Commerce Commission Termination Act, 49 U.S.C. §§ 10101 et seq., and is therefore null and void.

Defendants herein, their officers, agents, servants, employees, and attorneys, and persons acting in concert with those individuals, are hereby permanently enjoined from enforcing title 66, section 190 of the Oklahoma Statutes.

Judgment is entered in Plaintiff's favor.

DATED this 30th day of November, 2020.

  
\_\_\_\_\_  
CHARLES B. GOODWIN  
United States District Judge